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Practitioner's Docket No. 200405.00021

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In application of: Forbes

Application No.: 10/807,905

Group No.: 3612

Filed: March 23, 2004

Examiner: Gordon

For: CENTER BEAM CAR WITH DEEP UPPER BEAM STRUCTURE

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

Date:

March 31, 2005

Reg. No.: 31,985  
Tel. No.: 330-864-5550  
Customer No.: 021324

Signature of Practitioner

Michael H. Minns  
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CERTIFICATION UNDER 37 C.F.R. § 1.8(a)

I hereby certify that, on the date shown below, this correspondence is being deposited with the United States Postal Service in an envelope with sufficient postage as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-13450.

Date:

March 31, 2005

Signature

Michael H. Minns

(type or print name of person certifying)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application No.: 10/807,905 Group No.: 3612  
Filed: March 23, 2004 Examiner: Gordon  
For: CENTER BEAM CAR WITH DEEP UPPER BEAM STRUCTURE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**  
**Under 37 CFR § 1.97(b)**

This Information Disclosure Statement is filed within three months after the filing date of this application or before the mailing of an Office Action on the merits, whichever event occurs last, and therefore is considered timely under 37 CFR §1.97(b).

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 CFR §1.56(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13, at 25.

This Information Disclosure Statement is made to comply with the duty of candor imposed on all individuals associated with the filing or prosecution of this application, as defined by 37 CFR §1.56(c).

A list of the one hundred and twenty-two (122) U.S. patents and the four (4) foreign patents cited by the applicant are enclosed on seven sheets of Form PTO/SB/08A, and a list of the thirty (30) non-patent literature documents cited by the applicant are enclosed on three (3) sheets of Form PTO/SB/08B which are attached and made a part hereof. Copies of cited U.S. references are not enclosed, copies of the foreign and non-patent literature are enclosed.

This Information Disclosure Statement is based on information contained in the undersigned attorney file as of the date of this statement and is inclusive of the best information known to the undersigned at that date.

The Examiner is kindly requested to consider the Information Disclosure Statement in addition to any references identified by the Examiner as a result of his independent search and examination.

Respectfully submitted,

HAHN LOESER & PARKS LLP

 *March 31, 2005*

Michael H. Minns  
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Attorney Docket: 200405.00021

Substitute for form 1449A/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

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of

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**Complete if Known**

Application Number	10/807.905
Filing Date	03/23/2004
First Named Inventor	James W. Forbes
Art Unit	3612
Examiner Name	Stephen T. Gordon
Attorney Docket Number	200405.00021

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 190542	05/08/1877	BROOKS	
		US- 401528	04/16/1889	ZURCHER	
		US- 831648	09/25/1906	DODDS	
		US- 831654	09/25/1906	DODDS	
		US- 934578	09/21/1909	STOLLER	
		US- 975861	11/15/1910	HARRIGAN	
		US- 2061673	11/24/1936	ROBINSON	
		US- 2167427	07/25/1939	TATUM	
		US- 2650856	09/01/1953	MASHBURN JR ET AL	
		US- 2710221	06/07/1955	HINNERS	
		US- 2724611	11/22/1955	ROBERTSON	
		US- 2759737	08/21/1956	MANNING	
		US- 2768004	10/23/1956	WAGNER	
		US- 2801597	08/06/1957	ECOFF	
		US- 2803201	08/20/1957	JOHNSON ET AL	
		US- 2810602	10/22/1957	ABRAMS	
		US- 2839328	06/01/1958	PRICKETT ET AL	
		US- 2851301	09/09/1958	JAGSCH	

**FOREIGN PATENT DOCUMENTS**

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		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		CA 1265388	02/1990			
		CA 2313834	01/2002			
		EP 0306584	03/1989			
		NL 37659	01/1933	FRIED KRUPP AG		

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		Number-Kind Code <sup>2</sup> (if known)			
		US- 2883945	04/28/1959	WALKER	
		US- 2904340	09/15/1959	SIMPSON	
		US- 2940402	06/14/1960	HANSEN ET AL	
		US- 3009426	11/21/1961	NAMPA	
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		US- 3751102	08/07/1973	STONEBURNER	
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		US- 3777671	12/11/1973	MILLER ET AL	
		US- 3779411	12/18/1973	MORETTI JR	
		US- 3788702	01/29/1974	TOBOLL	

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		US- 3806182	04/23/1974	BATESON ET AL	
		US- 3814028	06/04/1974	ADLER	
		US- 3818843	06/25/1974	LEE	
		US- 3820476	06/28/1974	HARTER ET AL	
		US- 3820747	06/28/1974	BATESON ET AL	
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		US- 4194451	03/25/1980	DEHNER	
		US- 4221427	09/09/1980	SENTLE JR ET AL	
		US- 4236459	12/02/1980	TEOLI	
		US- 4254714	03/10/1981	HEAP	

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		Number-Kind Code <sup>2</sup> (if known)			
		US- 4331083	05/25/1982	LANDREGAN ET AL	
		US- 4348963	09/14/1982	DANCY	
		US- 4361097	11/30/1982	JONES ET AL	
		US- 4373447	02/15/1983	PFISTER	
		US- 4385856	05/31/1983	O'NEAL	
		US- 4408542	10/11/1983	HEAP	
		US- 4478155	10/23/1984	CENA ET AL	
		US- 4543887	10/01/1985	BAKER	
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		US- 4580844	04/08/1986	FARMER	
		US- 4626017	12/02/1986	ROBERTSON	
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		US- 4637320	01/20/1987	PATON ET AL	
		US- 4646653	03/03/1987	BALBI ET AL	
		US- 4686907	08/18/1987	WOOLLAM ET AL	
		US- 4688976	08/25/1987	ROWLEY ET AL	
		US- 4690072	09/01/1987	WILLE ET AL	
		US- 4738203	04/19/1988	GIELOW ET AL	

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		US- 4751882	06/21/1988	WHEATLEY ET AL	
		US- 4756256	07/12/1988	RAINS ET AL	
		US- 4770578	09/13/1988	COLEMAN	
		US- 4771705	09/20/1988	PRZYBYLINSKI ET AL	
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		US- 4805539	02/21/1989	FERRIS ET AL	
		US- 4807722	02/28/1989	JAMROZY ET AL	
		US- 4876968	10/31/1989	LINDAUER ET AL	
		US- 4889055	12/26/1989	JAMROZY ET AL	
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		US- 4911082	03/27/1990	RICHMOND	
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		US- 5159882	11/03/1992	KRUG ET AL	
		US- 5259322	11/09/1993	DOMINGUEZ ET AL	
		US- 5271336	12/21/1993	WILLETTS	
		US- 5410970	05/02/1995	STEPHENSON JR	
		US- 5520489	05/28/1996	BUTCHER ET AL	

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		US- 5582495	12/10/1996	SCHROEDER	
		US- 5692792	12/02/1997	KLAR	
		US- 5878548	03/09/1999	SAUER ET AL	
		US- 5899646	05/04/1999	TATINA ET AL	
		US- 5943963	08/31/1999	BEALS	
		US- 6050202	04/18/2000	THOMPSON	
		US- 6183176	02/06/2001	WEINER	
		US- 6237506	05/29/2001	FORBES	
		US- 6470808	10/29/2002	CLARK ET AL	
		US- RE 30388	09/02/1980	MUNDINGER ET AL	
		US- 20020073885	06/20/2002	SAXTON ET AL	
		US- 20020073890	06/20/2002	SAXTON ET AL	
		US- 20020124767	09/12/2002	FORBES	
		US- 2996020	08/01/1961	UDSTAD	
		US- 3159112	12/01/1964	TOMLINSON	
		US- 3244120	04/01/1966	TAYLOR	
		US- 3675592	07/01/1972	BATESON ET AL	
		US- 3677193	07/01/1972	PRINGLE	

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

7

of

7

**Complete if Known**

Application Number	10/807,905
Filing Date	03/23/2004
First Named Inventor	James W. Forbes
Art Unit	3612
Examiner Name	Stephen T. Gordon
Attorney Docket Number	200405.00021

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 3734031	05/01/1973	WAGNER	
		US- 4452150	06/01/1984	DOMINGUEZ	
		US- 4543887	10/01/1985	BAKER	
		US- 4681041	07/01/1987	HARRIS ET AL	
		US- 4753175	06/01/1988	HARRIS ET AL	
		US- 4784067	11/01/1988	HARRIS ET AL	
		US- 4802420	02/01/1989	BUTCHER ET AL	
		US- 4951575	08/01/1990	DOMINGUEZ ET AL	
		US- 5024567	06/01/1991	DOMINGUEZ ET AL	
		US- 5088417	02/01/1992	RICHMOND ET AL	
		US- 5626083	05/01/1997	SAXTON	
		US- 5758584	06/01/1998	SAXTON	
		US- 6199486	03/01/2001	LANDRUM ET AL	
		US- 6431085	08/01/2002	SAXTON ET AL	
		US-			
		US-			
		US-			
		US-			

**FOREIGN PATENT DOCUMENTS**

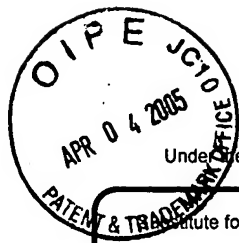
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/807,905
				Filing Date	3/23/2004
				First Named Inventor	James Forbes
				Art Unit	3612
				Examiner Name	Stephen T. Gordon
Sheet	1	of	3	Attorney Docket Number	200405.00021

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
	1	CAR BUILDERS' CYCLOPEDIA OF AMERICAN PRACTICE, 14th ed., Simmons-Boardman Publishing Corporation, New York, NY, 1937, pp. 209-214.		
	2	CAR BUILDERS' CYCLOPEDIA OF AMERICAN PRACTICE, 18th ed., Simmons-Boardman Publishing Corporation, New York, NY, 1949-51, pp. 155.		
	3	CAR BUILDERS' CYCLOPEDIA OF AMERICAN PRACTICE, 19th ed., Simmons-Boardman Publishing Corporation, New York, NY, 1953, pp. 284-285.		
	4	RAILWAY AGE WEEKLY, Simmons-Boardman Publishing Corporation, Boston, Conn., January 5, 1959, p. 19.		
	5	CAR BUILDERS' CYCLOPEDIA OF AMERICAN PRACTICE, 21st ed., Simmons-Boardman Publishing Corporation, New York, NY, 1961, pp. 168-172.		
	6	CAR BUILDERS' CYCLOPEDIA OF AMERICAN PRACTICE, 21st ed., Simmons-Boardman Publishing Corporation, New York, NY, 1961, pp. 447-448.		
	7	RAILWAY AGE WEEKLY, Simmons-Boardman Publishing Corporation, Boston, Conn., 1965, pp. 22-23.		
	8	BLODGETT, OMER W., "Rigid-Frame Knees (Elastic Design)" in Design of Welded Structures, James F. Lincoln Arc Welding Foundation, June 1966, pp. 5.11-1 to 5.11-20.		
	9	RAILWAY AGE WEEKLY, Simmons-Boardman Publishing Corporation, Boston, Conn., March 20, 1967, p. 15.		
	10	RAILWAY AGE WEEKLY, Simmons-Boardman Publishing Corporation, Boston, Conn., December 18, 1967, p. 58.		

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				Application Number	10/807,905
				Filing Date	3/23/2004
				First Named Inventor	James Forbes
				Art Unit	3612
				Examiner Name	Stephen T. Gordon
Sheet	2	of	3	Attorney Docket Number	200405.00021

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	11	RAILWAY AGE WEEKLY, Simmons-Boardman Publishing Corporation, Boston, Conn., February 19, 1968. "RSP Carbuilding Shop Adds Repair Facility", 1 page.	
	12	RAILWAY AGE WEEKLY, Simmons-Boardman Publishing Corporation, Boston, Conn., April 28, 1969. "Meet the Convertibles!", 1 page.	
	13	CAR AND LOCOMOTIVE CYCLOPEDIA OF AMERICAN PRACTICE, 2nd ed., Simmons-Boardman Publishing Corporation, New York, NY, 1970, p. 126.	
	14	CAR AND LOCOMOTIVE CYCLOPEDIA OF AMERICAN PRACTICE, 2nd ed., Simmons-Boardman Publishing Corporation, New York, NY, 1970, pp. 287 + 289.	
	15	CAR AND LOCOMOTIVE CYCLOPEDIA OF AMERICAN PRACTICE, 3rd ed., Simmons-Boardman Publishing Corporation, New York, NY, 1974, pp. S3-165 + S3-173 to S3-176.	
	16	CAR AND LOCOMOTIVE CYCLOPEDIA OF AMERICAN PRACTICE, 3rd ed., Simmons-Boardman Publishing Corporation, Omaha, Nebraska, copyright 1974, pp. 73 + 76.	
	17	THE CAR AND LOCOMOTIVE CYCLOPEDIA OF AMERICAN PRACTICE, 4th ed., Simmons-Boardman Publishing Corporation, Omaha, Nebraska, copyright 1980, pp. 242, 243 + 256.	
	18	THE CAR AND LOCOMOTIVE CYCLOPEDIA OF AMERICAN PRACTICE, 5th ed., Simmons-Boardman Publishing Corporation, Omaha, Nebraska, copyright 1984, p. 169.	
	19	Various photographs showing a dropped deck center beam car bearing model no. THRX 3001 manufactured by Thrall (date and location unknown).	
	20	Photographs showing a flatcar bearing model no. BCOL 866688 (date and location unknown).	

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	21	Various photographs showing a center beam car bearing model no. BNSF 564124 (date and location unknown).	
	22	Illustration showing a model of a car built for Pulpwood Service in 1963.	
	23	Various photographs taken on September 19, 2000, Chicago, Illinois, USA, showing a dropped deck center beam car bearing model no. THRX 3001 manufactured by Thrall.	
	24	Various photographs taken on September 27, 2000, Campbellville, Ontario, Canada, showing a flatcar bearing model no. CN 602376.	
	25	Various photographs taken on September 27, 2000, Milton, Ontario, Canada, showing a flatcar bearing model no. BCOL 52098.	
	26	RAILWAY AGE WEEKLY, Simmons-Boardman Publishing Corporation, Boston, Conn., July 29, 1968, p. 42D.	
	27	Various photographs taken on April 24, 2001 at the Frid Street Yard, Hamilton, Ontario, Canada, showing a dropped deck center beam car bearing model no. GCFX 1002 manufactured by Alstom.	
	28	Various photographs taken on September 4, 2001 at the Frid Street Yard, Hamilton, Ontario, Canada, showing a dropped deck center beam car bearing model no. GBRX 20003 manufactured by Gunderson.	
	29	Various photographs taken on October 31, 2001 at the Frid Street Yard, Hamilton, Ontario, Canada, showing a dropped deck center beam car bearing model no. GBRX 20003 manufactured by Gunderson.	
	30	Various photographs taken on May 17, 2001 at the Savage Reload Facility, Chicago, Illinois, USA, showing a dropped deck center beam car bearing model no. GBRX 20003 manufactured by Gunderson.	

Examiner Signature		Date Considered	
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